IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 5165 of 2005

Between:

M. Devaiah S/o. Nagabushanam
R/o. Road No. 10, Gandhi Nagar, Sathupally, Khammam District.

..... PETITIONER

AND

1 The Vice Chairman and Managing Director, APSRTC,

Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Khammam Region,

Khammam District.
3 The Deputy Chief Traffic Manager, APSRTC,O/o. Khammam

Region, Khammam District.
4 The Depot Manager, APSRTC, Sathupally Bus Depot,

Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ more particularly one in the nature of writ of Mandamus declaring the action of the 2nd Respondent in issuing the proceedings No. Steno/19(20) 97-RM:KMM. dt.23-7-1997 in so far as imposing conditions 2,3,4 is illegal, arbitrary and unjust and consequently set aside the same by granting increments and treating the suspension period as on duty and pass such further other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: SMT.P.RAJANI REDDY

The Court at the stage of admission made the following:

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 2nd respondent in issuing the proceedings No.Steno/19(20)/97-RM:KMM, dated 23.7.1997 insofar as imposition of condition Nos.2, 3, and 4 are concerned, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents and perused the material on record.

After the impugned order was passed, the petitioner seems to have been acquitted on 16.2.2001in C.C.No.231 of 1996 on the file of the Judicial Magistrate of First Class, Nuzvid. Thereafter, the petitioner filed a mercy petition before the 1st respondent who has to take an appropriate decision in accordance with the rules and regulations of the respondents-Corporation.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 1st respondent to take an appropriate decision in accordance with the rules and regulations of the respondents-Corporation, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

24th March, 2005

bcj

To

1 The Vice Chairman and Managing Director, APSRTC,

Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Khammam Region,

Khammam District.
3 The Deputy Chief Traffic Manager, APSRTC,O/o. Khammam

Region, Khammam District.
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